REMARKS/ARGUMENTS

The Examiner requested a minor, non-limiting revision in claim 17, which is being made.

Claim 1 was rejected under 35 U.S.C. §112, paragraph 2. Claim 1, lines 4-5 and 8-9 have been clarified by non-limiting amendments. The Examiner asked where the "specific element" of claim 1 is supported in the specification. It is supported by but not limited to the clutch 5 and its components 5a-5d, as explained at page 7, line 27 - page 8, line 3. Compare claims 2 and 3.

Claims 1, 2 and 5-20 were rejected as being anticipated by Huber '978, which incorporates Huber et al. '996. Claims 3-4 were rejected over Huber '978 in view of Tojima et al.

The applicants cannot agree with the Examiner's interpretation of Huber '978 and U.S. Patent No. 6,167,996 (Huber et al. '996), since several features in claims 1 and 11 are clearly new in relation to the disclosure these two documents.

First, the Examiner does not even mention the "specific element" in claims 1 and 11, namely "the specific element being adapted to allow elastic rotation between the first and the second driveline portions when driving torque is being transmitted in the driveline; said...." No such element is disclosed by Huber.

Second, these documents (in any combination) do not disclose or suggest "a control unit operable to store at least one measured value which is related to a reference angle (A_{REF}) between the position ($P_{1,\,REF}$) of the first portion and the position ($P_{2,\,REF}$) of the second portion when a gear is engaged in the gearbox, and is operable to initiate a control action so that said reference angle (A_{REF}) and a prevailing angle (A) between the first portion and the second portion are substantially equalized before the gear is disengaged." Advantages of this difference are thoroughly explained in the application as well as in the Amendment filed earlier this year.

Furthermore, the documents also fail to disclose or suggest "a first sensor operable to detect a position (P_1) of the first portion of the driveline and a second sensor operable to detect a position (P_2) of the second portion of the driveline." In the two documents there are a sensor 40 for sensing the rotational speed of the engine output shaft 16 and a sensor 42 for sensing the rotational speed of the transmission input shaft 20. There is no arrangement for sensing the positions of these two shafts. To sense the rotational speed of a shaft in typical automotive

applications, the shaft merely requires, for example, regularly distributed teeth or indicia on the periphery of the shaft. To sense the actual position of the shaft, in contrast, requires, again as only one example, teeth that are, at least at one place, unevenly distributed on the shaft. The arrangements disclosed in the two documents only need the speeds of the shafts, not their positions (especially not their positions relative to each other), and there is therefore no incentive or suggestion for a person skilled in the art to modify the shafts or the sensors and/or to provide a computer program to also enable the sensors to sense the position of the shafts. Therefore, Huber '978 neither discloses nor even suggests an arrangement wherein the positions of the shafts are sensed by the sensors 40 and 42.

The Examiner especially refers to Huber '978, column 2, line 56 to column 3, line 31; and Huber et al. '996, column 3, line 27 to column 4, line 2. Nothing in these passages contradicts what is said above. On the contrary, the passages strengthen the difference between the invention according to claims 1 and 11 in relation to the disclosure of the two documents. The cited passage of Huber '996 is not even related to achieving a zero torque, but to determining the engagement/disengagement of the clutch.

Nothing in Tojima et al. supplements Huber '978 so as to support a rejection of claims 1 and 11 and their dependent claims.

A person skilled in the art would not have any idea of constructing an arrangement according to any of claims 1-20 in the light of what is known from any of the two documents. The invention according to the claims therefore clearly involves an inventive step.

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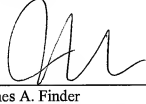
Respectfully submitted,



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